

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____

v. : **DATE FILED:** _____

JOSE ANTONIO ROTGER PEREZ : **VIOLATIONS: 18 U.S.C. § 1951**
JOSE ROBERTO RIVERA PEREZ (Interference with
: commerce by
: robbery - 5 counts)
: 18 U.S.C. § 924(c)
: (Using a gun during a
crime of violence - 5 counts)
: 18 U.S.C. § 2
: (Aiding and abetting)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, the Turkey Hill mini-market, located at 106 South 3rd Street, Coopersburg, Pennsylvania, was a business engaged in interstate commerce.

2. On or about May 17, 2003, in Lehigh County, in the Eastern District of Pennsylvania, defendant

JOSE ANTONIO ROTGER PEREZ

unlawfully obstructed, delayed and affected commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that, defendant **JOSE ANTONIO ROTGER PEREZ** unlawfully took and obtained property, that is,

United States currency in the amount of approximately \$200, from the care, custody, control, management, and possession of the Turkey Hill mini-market, located at 106 S. 3rd St., Coopersburg, PA, in the presence of employees, and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person, that is, by using a small silver handgun.

In violation of Title 18, United States Code, Section 1951.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 17, 2003, in Coopersburg, Lehigh County, in the Eastern District of Pennsylvania, defendant

JOSE ANTONIO ROTGER PEREZ

knowingly used, and carried, a firearm, that is, a small silver handgun, during and in relation to a crime of violence, that is, Hobbs Act robbery as charged in Count One of this indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT THREE

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, the A&M Mobil gas station, located at 202 Fullerton Avenue, Whitehall Township, Pennsylvania, was a business engaged in interstate commerce.

2. On or about May 19, 2003, defendant **JOSE ANTONIO ROTGER PEREZ** planned and committed an armed robbery of the A&M Mobil gas station, and used and discharged a small silver handgun, that is, pointed a gun near the head of a female employee and fired a shot which went into the wall behind the cash register.

3. On or about May 19, 2003, in Lehigh County, in the Eastern District of Pennsylvania, defendant

JOSE ANTONIO ROTGER PEREZ

unlawfully obstructed, delayed and affected commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that, defendant **JOSE ANTONIO ROTGER PEREZ** unlawfully took and obtained property, that is, United States currency in the amount of approximately \$200, from the care, custody, control, management, and possession of the A&M Mobile gas station, located at 202 Fullerton Avenue, Whitehall, PA, in the presence of employees and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person, that is, by using and discharging a small silver handgun.

In violation of Title 18, United States Code, Section 1951.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 19, 2003, in Whitehall Township, Lehigh County, in the Eastern District of Pennsylvania, defendant

JOSE ANTONIO ROTGER PEREZ

knowingly used, and carried, and discharged a firearm, that is, a small silver handgun, during and in relation to a crime of violence, that is, Hobbs Act robbery as charged in Count Three of this indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT FIVE

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, the 7-11 convenience store, located at 1426 West Broad Street, Bethlehem, Pennsylvania, was a business engaged in interstate commerce.

2. On or about May 21, 2003, in Lehigh County, in the Eastern District of Pennsylvania, defendant

JOSE ANTONIO ROTGER PEREZ

unlawfully obstructed, delayed and affected commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that, defendant **JOSE ANTONIO ROTGER PEREZ** unlawfully took and obtained property, that is, United States currency in the amount of approximately \$106, from the care, custody, control, management, and possession of the 7-11 convenience store, located at 1426 West Broad Street, Bethlehem, PA, in the presence of employees and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person, that is, by using a small silver handgun.

In violation of Title 18, United States Code, Section 1951.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 21, 2003, in Bethlehem, Lehigh County, in the Eastern District of Pennsylvania, defendant

JOSE ANTONIO ROTGER PEREZ

knowingly used, and carried, a firearm, that is, a small silver handgun, during and in relation to a crime of violence, that is, Hobbs Act robbery as charged in Count Five of this indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT SEVEN

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, the Top Star Mobil gas station, located at 2267 MacArthur Road, Whitehall Township, Pennsylvania, was a business engaged in interstate commerce.

2. On or about May 24, 2003, in Lehigh County, in the Eastern District of Pennsylvania, defendant

JOSE ANTONIO ROTGER PEREZ

unlawfully obstructed, delayed and affected commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that, defendant **JOSE ANTONIO ROTGER PEREZ** unlawfully took and obtained property, that is, United States currency in the amount of approximately \$351.08, from the care, custody, control, management, and possession of the Top Star Mobil gas station, located at 2267 MacArthur Road, Whitehall Township, Pennsylvania, in the presence of employees and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person, that is, by using a small silver hand gun.

In violation of Title 18, United States Code, Section 1951.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 24, 2003, in Whitehall Township, Lehigh County, in the Eastern District of Pennsylvania, defendant

JOSE ANTONIO ROTGER PEREZ

knowingly used, and carried, a firearm, that is, a small silver handgun, during and in relation to a crime of violence, that is, Hobbs Act robbery as charged in Count Seven of this indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT NINE

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, Today's Fashions jewelry store, located at 2180 MacArthur Road, Whitehall Township, Pennsylvania, was a business engaged in interstate commerce.

2. On or about May 28, 2003, in Lehigh County, in the Eastern District of Pennsylvania, defendants

JOSE ANTONIO ROTGER PEREZ JOSE ROBERTO RIVERA PEREZ

unlawfully obstructed, delayed and affected commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), in that, defendants **JOSE ANTONIO ROTGER PEREZ** and **JOSE ROBERTO RIVERA PEREZ** unlawfully took and obtained property, and aided and abetted the taking and obtaining of, property, that is, jewelry valued at approximately \$2,000, from the care, custody, control, management, and possession of the Today's Fashions jewelry store, located at 2180 MacArthur Road, Whitehall Township, Pennsylvania, in the presence of employees and against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person, that is, by using a small silver handgun.

In violation of Title 18, United States Code, Sections 1951 and 2.

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 28, 2003, in Whitehall Township, Lehigh County, in the Eastern District of Pennsylvania, defendant

**JOSE ANTONIO ROTGER PEREZ
JOSE ROBERTO RIVERA PEREZ**

knowingly used, and carried, and aided and abetted the use and carrying of a firearm, that is, a small silver handgun, during and in relation to a crime of violence, that is, Hobbs Act robbery as charged in Count Nine of this indictment.

In violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2.

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
United States Attorney